

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

The application of SAN DIEGO GAS & ELECTRIC (U 902 E) for approval of servicing agreement between the State of California Department of Water Resources (“DWR”) and SDG&E Company Pursuant to Chapter 4 of the Statutes of 2001 (Assembly Bill 1 of the First 2001-2002 Extraordinary Session).

Application 01-06-039
(Filed June 22, 2001)

**ADMINISTRATIVE LAW JUDGE’S RULING
NOTIFYING PARTIES OF SHORTENED TIME FOR FILING
AN APPLICATION FOR REHEARING OF D.02-04-048 AND
RESPONDING TO ANY SUCH FILING**

Decision (D.) 02-04-048 was adopted by the Commission at the meeting of April 22, 2002, and mailed to the parties on April 24, 2002. The decision construed, applied, implemented, and interpreted certain provisions of Assembly Bill 1 of the Legislature’s First Extraordinary Session of 2001-2002 (Stats. 2001, Ch. 4) (AB1X).

Senate Bill 31 of the First Extraordinary Session of 2001-2002 (Stats. 2001, Ch. 9) amended Public Utilities Code Section 1731,¹ and added Section 1768. Section 1731(c) requires that as a prerequisite for filing a cause of action “in any court,” an application for rehearing of a Commission decision construing, applying, or implementing the provisions of AB1X must be filed within 10 days

¹ All section references are to the Public Utilities Code.

after the date of issuance of the decision. Accordingly, an application for rehearing of D.02-04-048 must be filed by May 6, 2002.

Section 1731(c) also requires the Commission to “issue its decision and order on rehearing within 20 days after the filing of that application.” In order to issue a decision and order on rehearing of D.02-04-048 within the applicable timeframe, the Commission will need to take up consideration of any application for rehearing at its regularly scheduled meeting on May 16, 2002.

Normally, Rule 86.2 of the Commission’s Rules of Practice and Procedure requires that a response to an application for rehearing be filed no later than 15 days after the day the application for rehearing is filed. In order that the Commission may consider any responses to an application for rehearing in a timely and expeditious manner, the time for filing a response to any application for rehearing of D.02-04-048 shall be shortened to May 10, 2002.

Due to the expedited appellate schedule, any application for rehearing and response shall be served by electronic mail on those parties who have provided an e-mail address, and by first class mail or other expeditious mode of delivery to those who have not provided an e-mail address. In addition, any application for rehearing and response shall be electronically served on the following Commission staff: Mary McKenzie (mfm@cpuc.ca.gov).

IT IS RULED that:

1. Any application for rehearing of Decision (D.) 02-04-048 shall be filed with the Docket Office no later than May 6, 2002.
2. Any response to an application for rehearing of D.02-04-048 shall be filed with the Docket Office no later than May 10, 2002.

3. Any party filing an application for rehearing of D.02-04-048 or a response to such an application shall serve the pleadings in the manner specified in the text of this ruling.

Dated April 24, 2002, at San Francisco, California.

/s/ JOHN S. WONG

John S. Wong
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Notifying Parties of Shortened Time for Filing an Application for Rehearing of D.02-04-048 and Responding to Any Such Filing on all parties of record in this proceeding or their attorneys of record.

Dated April 24, 2002, at San Francisco, California.

/s/ FANNIE SID

Fannie Sid

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.